

# HB4630



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB4630

by Rep. Richard P. Myers

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1426.1

Amends the Illinois Vehicle Code. Provides that it shall not be unlawful for any person to drive or operate any non-highway vehicle upon any county roadway or township roadway for the purpose of conducting farming operations to and from the home, farm, farm buildings, and any adjacent or nearby farm land. Effective January 1, 2010.

LRB096 14772 AJT 29625 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 11-1426.1 as follows:

6 (625 ILCS 5/11-1426.1)

7 Sec. 11-1426.1. Operation of non-highway vehicles on  
8 streets, roads, and highways.

9 (a) As used in this Section, "non-highway vehicle" means a  
10 motor vehicle not specifically designed to be used on a public  
11 highway, including:

12 (1) an all-terrain vehicle, as defined by Section  
13 1-101.8 of this Code;

14 (2) a golf cart, as defined by Section 1-123.9;

15 (3) a neighborhood vehicle, as defined by Section  
16 1-148.3m; and

17 (4) an off-highway motorcycle, as defined by Section  
18 1-153.1.

19 (b) Except as otherwise provided in this Section, it is  
20 unlawful for any person to drive or operate a non-highway  
21 vehicle upon any street, highway, or roadway in this State. If  
22 the operation of a non-highway vehicle is authorized under  
23 subsection (d), the non-highway vehicle may be operated only on

1 streets where the posted speed limit is 35 miles per hour or  
2 less. This subsection (b) does not prohibit a non-highway  
3 vehicle from crossing a road or street at an intersection where  
4 the road or street has a posted speed limit of more than 35  
5 miles per hour.

6 (b-5) A person may not operate a non-highway vehicle upon  
7 any street, highway, or roadway in this State unless he or she  
8 has a valid Illinois driver's license issued in his or her name  
9 by the Secretary of State.

10 (c) Except as otherwise provided in subsection (c-5), no  
11 person operating a non-highway vehicle shall make a direct  
12 crossing upon or across any highway under the jurisdiction of  
13 the State, tollroad, interstate highway, or controlled access  
14 highway in this State.

15 (c-5) A person may make a direct crossing at an  
16 intersection controlled by a traffic light or 4-way stop sign  
17 upon or across a highway under the jurisdiction of the State if  
18 the speed limit on the highway is 35 miles per hour or less at  
19 the place of crossing.

20 (d) A municipality, township, county, or other unit of  
21 local government may authorize, by ordinance or resolution, the  
22 operation of non-highway vehicles on roadways under its  
23 jurisdiction if the unit of local government determines that  
24 the public safety will not be jeopardized. The Department may  
25 authorize the operation of non-highway vehicles on the roadways  
26 under its jurisdiction if the Department determines that the

1 public safety will not be jeopardized.

2 Before permitting the operation of non-highway vehicles on  
3 its roadways, a municipality, township, county, other unit of  
4 local government, or the Department must consider the volume,  
5 speed, and character of traffic on the roadway and determine  
6 whether non-highway vehicles may safely travel on or cross the  
7 roadway. Upon determining that non-highway vehicles may safely  
8 operate on a roadway and the adoption of an ordinance or  
9 resolution by a municipality, township, county, or other unit  
10 of local government, or authorization by the Department,  
11 appropriate signs shall be posted.

12 If a roadway is under the jurisdiction of more than one  
13 unit of government, non-highway vehicles may not be operated on  
14 the roadway unless each unit of government agrees and takes  
15 action as provided in this subsection.

16 (e) No non-highway vehicle may be operated on a roadway  
17 unless, at a minimum, it has the following: brakes, a steering  
18 apparatus, tires, a rearview mirror, red reflectorized warning  
19 devices in the front and rear, a slow moving emblem (as  
20 required of other vehicles in Section 12-709 of this Code) on  
21 the rear of the non-highway vehicle, a headlight that emits a  
22 white light visible from a distance of 500 feet to the front, a  
23 tail lamp that emits a red light visible from at least 100 feet  
24 from the rear, brake lights, and turn signals. When operated on  
25 a roadway, a non-highway vehicle shall have its headlight and  
26 tail lamps lighted as required by Section 12-201 of this Code.

1 (f) A person who drives or is in actual physical control of  
2 a non-highway vehicle on a roadway while under the influence is  
3 subject to Sections 11-500 through 11-502 of this Code.

4 (g) Any person who operates a non-highway vehicle on a  
5 street, highway, or roadway shall be subject to the mandatory  
6 insurance requirements under Article VI of Chapter 7 of this  
7 Code.

8 (h) It shall not be unlawful for any person to drive or  
9 operate any non-highway vehicle upon any county roadway or  
10 township roadway for the purpose of conducting farming  
11 operations to and from the home, farm, farm buildings, and any  
12 adjacent or nearby farm land.

13 (Source: P.A. 95-150, 8-14-07; 95-414, eff. 8-24-07; 95-575,  
14 eff. 8-31-07; 95-876, eff. 8-21-08; 96-279, eff. 1-1-10.)

15 Section 99. Effective date. This Act takes effect January  
16 1, 2010.